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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,140	01/11/2002	Lakshmi Narayanan Gudapakkam	15-XZ-6189	1114

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McAndrews, Held & Malloy, Ltd.
34th Floor
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Chicago, IL 60661

EXAMINER

CONTINO, PAUL F

ART UNIT	PAPER NUMBER
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2114

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/044,140	GUDAPAKKAM ET AL.	
	Examiner	Art Unit	
	Paul Contino	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 is/are allowed.
- 6) ☒ Claim(s) 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 21 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION: Non-Final Rejection

Claim Objections

1. Claim 11 is objected to because of the following informalities: the end of the claim includes two periods. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Bidarahalli et al. (U.S. Patent No. 6,990,574).

As in claim 22, Bidarahalli et al. discloses a method for synchronizing a medical diagnostic imaging system during system boot (*column 7 lines 5-9 and 45-48*), said method comprising:

initiating a transition of at least one medical diagnostic imaging subsystem to a desired state based on at least one configuration file including information regarding a number of medical diagnostic imaging subsystems in said system and state transitions in which each of said at least one medical diagnostic imaging subsystem participate (*Figs. 5,6; column 7 lines 40-54 and column 10 lines 16-37, where database files 150 and 156 are configuration files for the MRI imaging system which includes subsystem applications 152,154 which are transitioned to an operating state if not already loaded at time of initiation*); and

monitoring and coordinating said transition of at least one medical diagnostic imaging subsystem to the desired state in order to synchronize said medical diagnostic imaging system at the desired state (*column 10 lines 16-37, where the synchronization consists of loading of critical applications so dependent regular applications will operate*).

As in claim 23, Bidarahalli et al. discloses a plurality of medical diagnostic imaging subsystems in the medical diagnostic system (*Figs. 5,6; column 7 lines 9-11 and 45-52, where the gradient coil, controllers, etc., as well as the applications, are imaging subsystems*).

As in claim 24, Bidarahalli et al. discloses synchronizing the plurality of medical diagnostic imaging subsystems at the desired state (*column 10 lines 16-37*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bidarahalli et al. in view of Brown (U.S. Patent No. 5,857,190).

As in claim 25, Bidarahalli et al. teaches of subsystem transitions. However, Bidarahalli et al. fails to teach of generation of an error signal. Brown teaches of generating an error signal if a subsystem does not transition to a desired state (*column 6 lines 21-25, where reporting of an error event as an application failing to load inherently includes generation of an error signal*).

It would have been obvious to a person skilled in the art at the time the invention was made to have included the error signal as taught by Brown in the invention of Bidarahalli et al. This would have been obvious because logging of error events allows pinpointing of specific faults for diagnosis (*column 1 lines 56-62*).

Allowable Subject Matter

4. Claims 1-20 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 11, and 20 are allowed based upon their respective limitations involving management at a system and subsystem level in a distributed medical diagnostic imaging system environment based upon a configuration file including level and function designations. When read within the remainder of the limitations of the claims, claims 1, 11, and 20 are allowed over the prior art. Claims 2-10 and 12-19 are allowed based upon their respective dependency to claims 1 and 11.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 5,787,246 Lichtman et al. discloses configuration and resource management.

U.S. Patent No. 6,243,835 Enokido et al. discloses a test management system.


U.S. Patent No. 5,664,093 Barnett et al. discloses a distributed management system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Contino whose telephone number is (571) 272-3657. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFC
4/30/2007


SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER